

## **Waste Flow Exceptions: Disposal of Waste Outside the Planning Area of Origin**

Each sanitary disposal facility in Iowa has a specific service area that is defined by the jurisdictions of local governments using the facility and detailed in the facility's operating permit. All waste generated in a landfill's service area must be disposed at that landfill. However, there are a few exceptions including special wastes, emergencies, or waste leaving the state.

### **Special Wastes**

The management of special wastes is outlined in the Iowa Administrative Code.

#### **IAC 567-101.4 Duties of cities and counties states**

*If a city or county facility refuses any particular solid waste type for management or disposal, the city or county facility must identify another waste management facility for that waste within the planning area. In the case of special waste, if no other waste management facility for the waste type exists within the planning area, the city or county must, in cooperation with the waste generator, establish or arrange for access to another waste management facility.*

The department procedure for facilities that do not accept a special waste (most commonly asbestos) is to designate an alternative facility that has agreed to accept the waste.

The designation procedure is as follows:

- ◆ A letter from the waste management facility (landfill) who should receive the waste, according to planning/service area boundaries, stating that they do not accept the special waste and approve the waste to be disposed of outside the planning area.
- ◆ A letter in return from the alternative facility agreeing to accept the waste refused by the facility in the planning area of origin.

Copies of each letter need to be submitted to the Comprehensive Planning Unit of the DNR.

### **Emergencies**

In most cases, waste generated as the result of an exceptional event would be required to be disposed of within the planning area. However, during emergencies, waste may be allowed for disposal outside the planning area. Examples of emergency situations include instances when adequate facilities do not exist within the planning area or when multiple facilities must be used in order to complete clean-up efforts in a short amount of time. In all cases the landfill designated to receive waste from that area should be

contacted as the first disposal option. The determination to allow waste to be disposed of outside the planning area will be made by the department on an individual event basis.

Waste generated as part of an exceptional event should not negatively affect a planning area's goal progress calculation. Exceptional events include, but are not limited to, such unforeseen events as a storm, flood, tornado, fire, or train-wreck. Exceptional events do not include economic development, derelict housing removal, or other planned activities.

Iowa Administrative Code Chapter 101.7(3) outlines the procedures to request the exemption of exceptional event debris garbage from goal progress calculations.

### **Disposal Out-of-State**

Federal interstate commerce laws prohibit restrictions on the flow of waste between states.